

**Hayes, Dina M**

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**From:** Kevin Grogan [grogan@ip-lawyers.com]  
**Sent:** Thursday, September 15, 2005 4:18 PM  
**To:** Hayes, Dina M  
**Subject:** Re: Rexon v. BD

Dina:

I can finally confirm that Rexon will not oppose your motion to add Rexon USA as a party to this suit.

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Kevin

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**From:** "Hayes, Dina M" <hayes@nshn.com>  
**Date:** Thu, 15 Sep 2005 13:46:12 -0500  
**To:** "Kevin Grogan" <grogan@ip-lawyers.com>  
**Subject:** Rexon v. BD

Kevin:

I have been trying to get your client's response to whether or not they would agree to add Rexon USA to the litigation. Earlier this week, Don told me you were checking into this. I would like to know whether or not I need to file a motion with the court by the end of the day tomorrow.

Please let me know.

Thanks,  
Dina

9/19/2005